

BILL NO. G-68-02-19

GENERAL ORDINANCE NO. G- 07-68

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of the first alley south of Howell Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following Resolution of the Fort Wayne City Plan Commission, to-wit:

"WHEREAS, Peter Eckrich & Sons, Inc. has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Allen County, Indiana, to-wit:

The first alley south of Howell Street ^{from} the west property line of Osage Street to the east property line of the first alley west of Osage Street,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on January 22, 1968, at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be, and the same is, hereby approved; and,

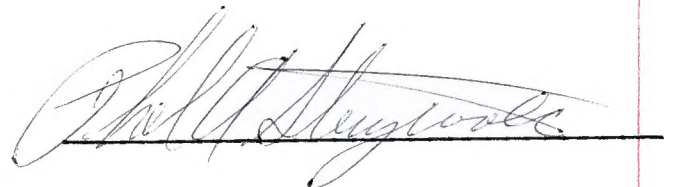
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alleys in Allen County, Indiana."

duly adopted on January 22, 1968, following a public hearing thereon after first giving notice thereof all pursuant to Section 44 of Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Section 53-744 Burns Ind. Statutes Ann. 1964 Repl.) is hereby approved and the recommendations made by said Commission are now accepted.

SECTION 2. Vacation of the alley described in said Resolution in any manner provided by law is hereby authorized and approved.

SECTION 3. Upon such vacation the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, is hereby amended accordingly.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM
AND LEGALITY



CITY ATTORNEY

RESOLUTION

WHEREAS, Peter Eckrich & Sons, Inc. has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Allen County, Indiana, to wit:

The first alley south of Howell Street for the west property line of Osage Street to the east property line of the first alley west of Osage Street,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,


WHEREAS, said public hearing was held on January 22, 1968, at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be, and the same is, hereby approved; and,

BE IT FURTHER RESOLVED that the action of the Fort Wayne

STATE OF INDIANA :
 : SS
COUNTY OF ALLEN :



President
Fort Wayne City Plan Commission

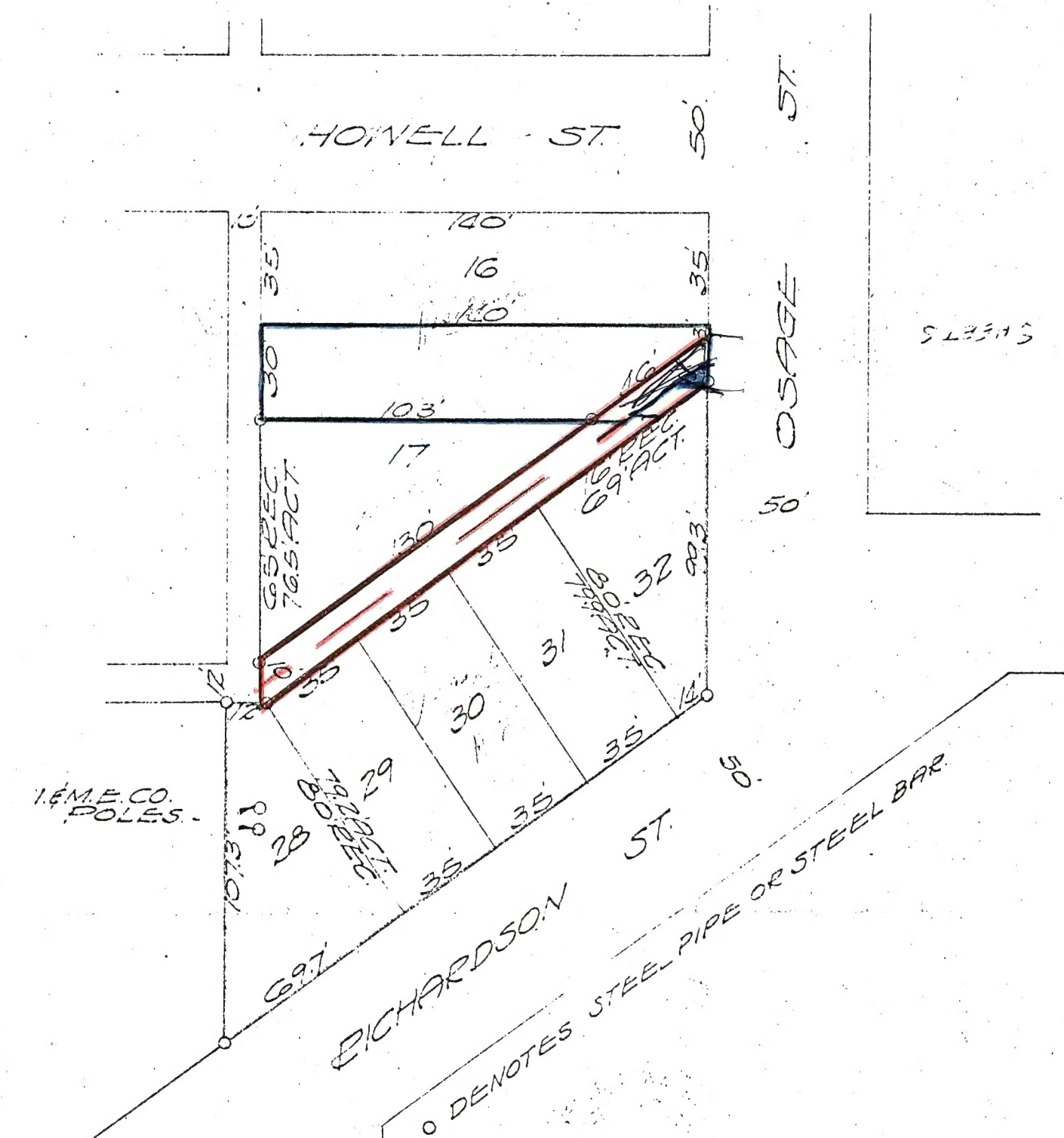
Certificate of Survey

VERLE J. WAGNER
REGISTERED LAND SURVEYOR
FORT WAYNE, INDIANA

2710 GAY ST
PHONE 745-5216

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a resurvey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY:

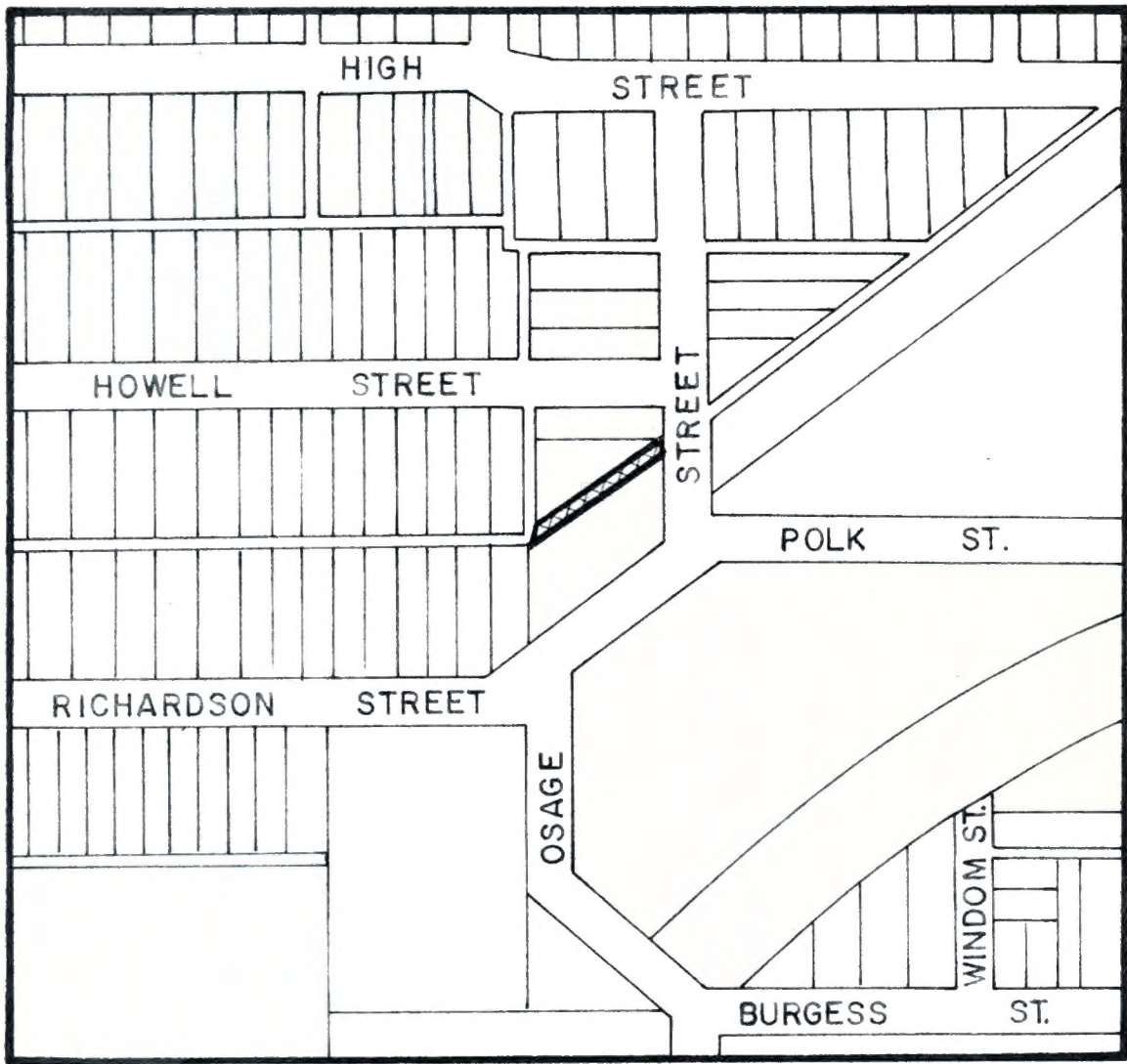


I hereby certify above
survey to be correct

Surveyed 1/27-28-29/64

Verle J. Wagner
REGISTERED LAND SURVEYOR IND NO 4331

- denotes boundary of alley to be vacated
- denotes center of alley to be vacated
- denotes outline of Reed's property after vacation
- additional real estate to be quit claimed by Eckrich to Reed after approval of alley vacation.



ALLEY TO BE VACATED

Bill No. G-68-02-19

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

amending General Ordinance No. G-97 by authorizing the vacation of the first
alley south of Howell Street,

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance Do PASS.

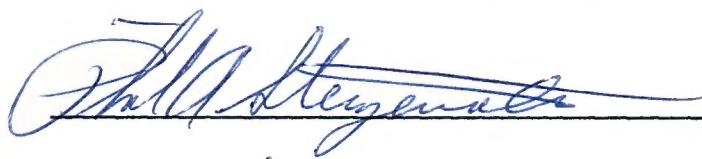
PHIL A. STEIGERWALD, Chairman

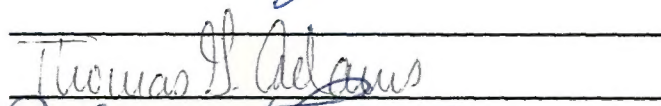
CELIA ANN FAY, Vice-Chairman

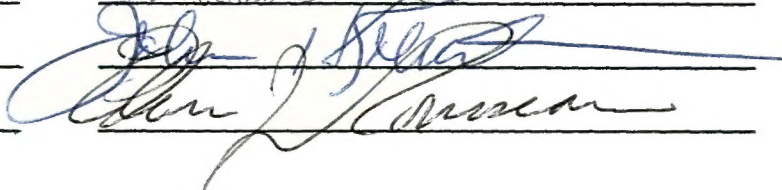
THOMAS G. ADAMS

JOHN H. ROBINSON

EDWIN J. ROUSSEAU







CONCURRED IN

DATE 2-27-68 FUAD G. BONAHOOM, CITY CLERK

Read the first time in full and on motion by Steigerwald seconded by
Rousseau and duly adopted, read the second time by title and referred
to the (Committee on) Regulations (and to the City Planning
~~Commission for recommendation~~) (and Public Hearing to be held after due legal notice,
at the Council Chambers, City Hall, Fort Wayne, Indiana, on _____
the _____ day of _____, 1968, at _____ o'clock
P.M., E.S.T.

Date: 2-13-68

Fuad H. Bonahoom
City Clerk

Read the third time in full and on motion by Tipton
seconded by _____ and duly adopted, placed on its passage.

Passed (~~YES~~) by the following vote:

AYES 8, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

Adams	<u>/</u>	<u>/</u>	<u>/</u>
Dunifon	<u>/</u>	<u>/</u>	<u>/</u>
Fay	<u>/</u>	<u>/</u>	<u>/</u>
Geake	<u>/</u>	<u>/</u>	<u>/</u>
Nuckols	<u>/</u>	<u>/</u>	<u>/</u>
Robinson	<u>/</u>	<u>/</u>	<u>/</u>
Rousseau	<u>/</u>	<u>/</u>	<u>/</u>
Steigerwald	<u>/</u>	<u>/</u>	<u>/</u>
Tipton	<u>/</u>	<u>/</u>	<u>/</u>

Date 2-27-68

Fuad H. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(~~Zoning Map~~) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 8-07-68
on the 27th day of Feb., 1968.

ATTEST:

(SEAL)

Fuad H. Bonahoom
City Clerk

Jack R. H. H. H.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day
of Feb., 1968, at the hour of 10:00 o'clock A.M., E.S.T.

Fuad H. Bonahoom
City Clerk

Approved and signed by me this 28th day of February, 1968
at the hour of 10:51 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor